

SENATE BILL 372

Q1

0lr0426

By: **Senator Della**

Introduced and read first time: January 28, 2010

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax – Tax Sales – Notice to Foreclose Right of Redemption**

3 FOR the purpose of altering certain notice provisions by requiring a holder of a
4 certificate of sale to send certain notices by certified mail before the holder of a
5 certificate of sale may file a complaint to foreclose the right of redemption; and
6 generally relating to notices to foreclose the right of redemption.

7 BY repealing and reenacting, without amendments,
8 Article – Tax – Property
9 Section 14–833(a–1)(1)
10 Annotated Code of Maryland
11 (2007 Replacement Volume and 2009 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Tax – Property
14 Section 14–833(a–1)(6) and (8)
15 Annotated Code of Maryland
16 (2007 Replacement Volume and 2009 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Tax – Property**

20 14–833.

21 (a–1) (1) The holder of a certificate of sale may not file a complaint to
22 foreclose the right of redemption until at least 2 months after sending the first of two
23 notices required under this subsection to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) the person who last appears as owner of the property on the
2 collector's tax roll; and

3 (ii) 1. the current mortgagee of the property, assignee of a
4 mortgagee of record, or servicer of the current mortgage; or

5 2. the current holder of a beneficial interest in a deed of
6 trust recorded against the property.

7 (6) The notice required under this subsection shall be sent[:

8 (i) by first-class mail; and

9 (ii) in an envelope prominently marked on the outside with the
10 following phrase "Notice of Delinquent Property Tax"] **BY CERTIFIED MAIL,**
11 **POSTAGE PREPAID, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM**
12 **THE UNITED STATES POSTAL SERVICE.**

13 (8) In a proceeding to foreclose the right of redemption, if the holder of
14 a certificate of sale, the holder's agent, or the attorney of the holder of a certificate of
15 sale, files an affidavit, before the court enters a final judgment foreclosing the right of
16 redemption, attesting to the fact that the affiant has complied with the notice
17 provisions of this subsection **AND PROVIDES EVIDENCE THAT NOTICE WAS SENT BY**
18 **CERTIFIED MAIL AS REQUIRED UNDER PARAGRAPH (6) OF THIS SUBSECTION,**
19 then:

20 (i) the notice provisions of this subsection shall be deemed
21 satisfied; and

22 (ii) the failure of the owner, mortgagee, or beneficiary of a deed
23 of trust to receive the required notice does not invalidate the proceeding to foreclose
24 the right of redemption or the final judgment of the court.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2010.